

Notice of Allowability

Application No.

09/671,059

Examiner

Viet Vu

Applicant(s)

KUBIK ET AL.

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Appeal brief filed 12/10/04.
2. ☒ The allowed claim(s) is/are 1,2,4,7-10,15,16,18,21-24 and 29.
3. ☒ The drawings filed on 09 January 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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Examiner's Amendment

1. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

Authorization for this examiner's amendment is given by Mr. Glanzman via fax on March 24, 2005.

2. The application has been amended as follows:

See attachment for listing of claims.

Reason for Allowance:

3. The following is an examiner's statement of reasons for allowance:

Claims 1-2, 4, 7-10, 15-16, 18, 21-24 and 29 are allowed over prior arts of record because the arts of record fail to teach or suggest processing the delivery attribute value including pinging address and performing network monitoring querying after receiving a response from the network/recipient.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Viet Vu whose telephone number is 571-272-3977. The examiner can

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normally be reached on Monday through Thursday from 8:00am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee, can be reached on 571-272-3964.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



VIET D. VU
PRIMARY EXAMINER

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3/24/05

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1. (Currently amended) A method comprising:

creating an electronic message having a recipient at an address on a server, wherein the electronic message includes at least one delivery attribute identifier for identifying at least one delivery attribute;

sending the electronic message to the recipient; and

receiving a response, the response including validity information indicating whether that the address is a ~~valid~~ an invalid address, and at least one delivery attribute value corresponding to the at least one delivery attribute, the at least one delivery attribute value including delivery information regarding the electronic message;

processing the at least one delivery attribute value to form delivery failure analysis information; and

presenting the delivery failure analysis information,

wherein the step of processing the at least one delivery attribute value comprises one of pinging the address and performing a simple network monitoring query for the address.

2. (Previously presented) The method of claim 1, wherein the at least one delivery attribute identifier comprises at least one of a recipient mail system identifier, a recipient mail server identifier, a recipient router identifier, a sender mail system identifier, a sender mail server identifier, and a sender router identifier.

3. (Canceled)

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4. (Currently amended) The method of claim 1, wherein the at least one delivery attribute value includes an address, the address comprising one of a recipient mail system address, a recipient mail server address, a recipient router address, a sender mail system address, a sender mail server address, and a sender router address..

5. (Canceled)

6. (Canceled)

7. (Previously presented) The method of claim 1, further comprising: storing the at least one delivery attribute value in a storage.

8. (Original) The method of claim 7, wherein the storage is a database.

9. (Original) The method of claim 1, wherein the method is performed by a client.

10. (Original) The method of claim 1, wherein the method is performed by a server.

11. (Canceled)

12. (Canceled)

13. (Canceled)

14. (Canceled)

15. (Currently amended) An apparatus comprising:

creation means for creating an electronic message having a recipient at an address on a server, wherein the electronic message includes at least one delivery attribute identifier for identifying at least one delivery attribute;

sending means for sending the electronic message to the recipient;
and

receipt means for receiving a response, the response including validity information indicating ~~whether~~ that the address is ~~a valid~~ an invalid address, and at least one delivery attribute value corresponding to the at least one delivery attribute, the at least one delivery attribute value including delivery information regarding the electronic message;

processing means for processing the at least one delivery attribute value to form delivery failure analysis information; and

presentation means for presenting the delivery failure analysis information,

wherein the processing means comprises one of means for pinging the address and means for performing a simple network monitoring query for the address.

16. (Previously presented) The apparatus of claim 15, wherein the at least one delivery attribute identifier comprises at least one of a recipient

mail system identifier, a recipient mail server identifier, a recipient router identifier, a sender mail system identifier, a sender mail server identifier, and a sender router identifier.

17. (Canceled)

18. (Currently amended) The apparatus of claim 15 [[17]], wherein the at least one delivery attribute value includes an address, the address being one of a recipient mail system address, a recipient mail server address, a recipient router address, a sender mail system address, a sender mail server address, and a sender router address.

19. (Canceled)

20. (Canceled)

21. (Previously presented) The apparatus of claim 15, further comprising:
storage means for storing the at least one delivery attribute value.

22. (Original) The apparatus of claim 21, wherein the storage means comprises a database.

23. (Original) The apparatus of claim 15, wherein the apparatus is embodied in a client computer.

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24. (Original) The apparatus of claim 15, wherein the apparatus is embodied in a server computer.

25. (Canceled)

26. (Canceled)

27. (Canceled)

28. (Canceled)

29. (Currently amended) A computer program product, in a computer readable medium, comprising:

instructions for creating an electronic message having a recipient at an address on a server, wherein the electronic message includes at least one delivery attribute identifier for identifying at least one delivery attribute;

instructions for sending the electronic message to the recipient;
and

instructions for receiving a response, the response including validity information indicating ~~whether~~ that the address is a ~~valid~~ an invalid address, and at least one delivery attribute value corresponding to the at least one delivery attribute, the at least one delivery attribute value including delivery information regarding the electronic message;

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instructions for processing the at least one delivery attribute value to form delivery failure analysis information; and

instructions for presenting the delivery failure analysis information,

wherein the instructions for processing the at least one delivery attribute value comprises one of instructions for pinging the address and instructions for performing a simple network monitoring query for the address.

30. (Canceled)